

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,
Plaintiff,

v.

JULIUS M. GLADNEY,
Defendant.

No. CR-05-6023-FVS

ORDER

THIS MATTER came before the Court for a schedule pretrial conference on December 1, 2005. The Defendant was present and represented by Rebecca L. Pennell. Assistant United States Attorney Robert Ellis appeared on behalf of the Government. For the reasons stated on the record,

IT IS HEREBY ORDERED

1. Defendant's Motion for Discovery, **Ct. Rec. 35**, is **RESOLVED**.

2. Defendant's Motion for Disclosure of Evidence, **Ct. Rec. 37**, is **GRANTED**.

3. Defendant's Motion to Compel Grand Jury Transcripts, **Ct. Rec. 39**, is **GRANTED**. The Government shall prepare and disclose transcripts of the testimony of grand jury witnesses who will be witnesses at trial pursuant to Rule 6(e)(3)(E)(i) of the Federal Rules of Criminal Procedure.

4. The Defendant's Motion to Dismiss, **Ct. Rec. 32**, is **DENIED**,

1 and the Defendant's alternative request for a continuance is granted.
2 The Court determines that the best interest of the Defendant and the
3 public in a speedy trial is outweighed by the ends of justice served
4 by this continuance because defense counsel needs additional time in
5 order to prepare effectively for trial. A trial date of December 12,
6 2005, would deny defense counsel adequate time to prepare and provide
7 effective assistance of counsel, taking into account the exercise of
8 due diligence.

9 5. The defendant shall sign and file a **waiver of speedy trial**.

10 6. The **trial date** is continued until **March 6, 2006, at 9:00**
11 **a.m. in Yakima, Washington**. Counsel shall meet with the Court in
12 chambers at 8:30 a.m. A **pretrial conference** will be held on **February**
13 **16, 2006, at 9:00 a.m. in Yakima, Washington**.

14 4. The period from December 12, 2005, the old trial date, to
15 March 6, 2006, the new date of trial, is excluded for purposes of
16 computing time under the Speedy Trial Act. 18 U.S.C. §§ 3161(h) (8) (A)
17 and (B) (iv).

18 5. All pretrial motions shall be filed by 5:00 p.m. on January
19 26, 2006; responses shall be filed by 5:00 p.m. on February 9, 2006.

20 **IT IS SO ORDERED.** The District Court Executive is hereby
21 directed to enter this Order and furnish copies to counsel.

22 **DATED** this 2nd day of December, 2005.

23
24 s/ Fred Van Sickle
Fred Van Sickle
25 United States District Judge
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